

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

see Form PCT/ISA/220

Date of mailing
(day/month/year) see Form PCT/ISA/210 (sheet 2)

Applicant's or agent's file reference see Form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/EP2004/003231	International filing date (day/month/year) 26.03.2004	Priority date (day/month/year) 16.04.2003	
International Patent Classification (IPC) or both national classification and IPC H01T4/06			
Applicant KRONE GMBH			

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1 (a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires earlier.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

<p>Name and mailing address of the ISA</p> <div style="display: flex; align-items: center;"> <div> <p>European Patent Office - P.B. 5818 Patentlaan 2</p> <p>NL-2280 HV Rijswijk - Netherlands</p> <p>Tel.: (+31-70) 340-2040 Tx: 31 651 epo nl</p> <p>Fax: (+31-70) 340-3016</p> </div> </div>	<p>Authorized officer</p> <p>Bijn, E</p> <p>Tel. +31 70 340-2108</p> <div style="text-align: right;"> </div>
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Box No. I. Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed
☐ filed together with the international application in computer readable form
☐ furnished subsequently to this Authority for the purposes of search
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. II. Priority

1. ☒ The following document has not yet been furnished:
- ☒ copy of the earlier application whose priority has been claimed (Rules 43bis.1 and 66.7(a)).
 - ☐ translation of the earlier application whose priority has been claimed (Rules 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty	Yes: Claims	2, 4-12
	No: Claims	1, 3
Inventive Step	Yes: Claims	
	No: Claims	1-12
Industrial Applicability	Yes: Claims	1-12
	No: Claims	

2. Citations and explanations:
see supplemental sheet

Re Item V.

1 In the present decision reference is made to the following document:

D1: EP 0 460 223 A (MITSUBISHI MATERIALS CORP), December 11, 1991
(12.11.1991)

2 INDEPENDENT CLAIM 1

2.1 The present application does not meet the requirements of Article 33(1) PCT since the subject matter of claim 1 is not novel in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parentheses relate to this document):

Overvoltage protection magazine for a telecommunications device, comprising a housing (4), a printed circuit board (3), two or more surge arrestors (1) and at least one earth contact, the surge arrestors (1) being arranged on the printed circuit board and being passed, via conductor tracks, to contact pads (A, B, C) which are arranged on the printed circuit board and which, when inserted, come into electrical contact with contacts of the telecommunications device, and the surge arrestors (1) being arranged in a row.

D1 discloses all of the features of claim 1. The subject matter of claim 1 is therefore not novel.

2.2. Dependent claims 2 to 12 do not contain any features which, in combination with the features of any one claim to which they relate, meet the requirements of the PCT as regards novelty (claim 3) or inventive step (claims 2, 4 to 12). The reasons for this are as follows:

Claim 3 is also disclosed in D1.

Dependent claims 2, 4 to 12 relate to a slight change to the design of the overvoltage protection magazine as claimed in claim 1 which lies within the scope of that which those skilled in the art are accustomed to do owing to considerations which are familiar to them, in particular as the advantages achieved thereby can clearly be seen.

Consequently, the subject matter of claims 2, 4 to 12 is also not based on an inventive step.

3. The subject matter of the application relates to a surge arrestor for telecommunications engineering which obviously has industrial applicability.